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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/835,443	04/17/2001	Yoshinobu Shiraiwa	35.C15299	5474

5514 7590 10/23/2003

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EXAMINER

COLILLA, DANIEL JAMES

ART UNIT PAPER NUMBER

2854

DATE MAILED: 10/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Applicati n No.

09/835,443

Applicant(s)

SHIRAIWA, YOSHINOBU

Examin r

Dan Colilla

Art Unit

2854

-- The MAILING DATE of this communicati n appears on the c ver she t with the corresp nd nce address --

**Peri d for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disp sition of Claims**

- 4) ☒ Claim(s) 1,2,4-6,8-11 and 14-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,8-11 and 14-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Pri rity under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 4 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over McLeod in view of Nakaya.

With respect to claim 1, McLeod discloses the claimed printing paper except for the round shape of the four corners. McLeod discloses a printing paper with a center portion 10a and two end portions 10b and 10c. The center portion has two pairs of opposite sides and four corners as shown in Figure 1, 5 and 6 of McLeod. Additionally, one pair of opposite sides of the central portion 10a have no other printing paper attached. Nakaya teaches a printed sheet 2 (therefore a printing paper) with a central portion 1. The four corners of the central portion 1 are rounded as shown in Figure 1 of Nakaya. It is noted that the right side of the central portion 1 is not attached to any other printing paper, thus it is known to create rounded corners at and edge of a printing paper. The selection of rounded corners over squared corners would have been an obvious variation to one of ordinary skill in the art which would be selected for the aesthetic design of the paper.

With respect to claim 2, McLeod discloses that the printing paper has perforations 12 and 14 between the center portion 10a and the outside portions 10b and 10c.

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With respect to claim 4, the round corners taught by Nakaya are shaped as arcs as shown in Figure 1 of Nakaya.

With respect to claim 15, any size of printing paper would have been obvious to one of ordinary skill in the art since the size of the paper has no bearing on the above mentioned structure.

3. Claims 5-6, 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over McLeod in view of Skees and Nakamura.

With respect to claim 1, McLeod discloses the claimed printing paper except for the round shape of the four corners and that the paper is a label. McLeod discloses a printing paper with a center portion 10a and two end portions 10b and 10c. The center portion has two pairs of opposite sides and four corners as shown in Figure 1, 5 and 6 of McLeod. Additionally, one pair of opposite sides of the central portion 10a have no other printing paper attached.

Skees teaches a printed sheet 26 (therefore a printing paper) with an inner portion 36. The four corners of the portion 36 are rounded as shown in Figure 7 of Skees. It is noted that the bottom side of the inner portion 36 is not attached to any other label printing paper, thus it is known to create rounded corners at an edge of a label printing paper. The selection of rounded corners of Skees over squared corners disclosed by McLeod would have been an obvious variation to one of ordinary skill in the art which would be selected for the aesthetic design of the paper.

Nakamura teaches a card 74 that is a central portion of a larger sheet 72 as shown in Figure 6 of Nakamura. Card 74 can be separated from a sheet 72 and applied as a label

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through the use of adhesive 76. It would have been obvious to combine the teaching of Nakamura with the printing paper disclosed by McLeod for the advantage of permanently fixing the printed card to another surface for decorative purposes or to another sheet of paper for informational purposes.

With respect to claim 6, McLeod discloses that the printing paper has perforations 12 and 14 between the center portion 10a and the outside portions 10b and 10c.

With respect to claim 8, the round corners taught by Skees are shaped as arcs as shown in Figure 7 of Skees.

With respect to claim 16, any size of printing paper would have been obvious to one of ordinary skill in the art since the size of the paper has no bearing on the above mentioned structure.

4. Claims 9-11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over McLeod in view of Skees and Nakamura, as applied to claims 1, 2, 4 and 15 above, and further in view of Hirano et al.

With respect to claims 9 and 10, McLeod in view of Skees and Nakamura discloses a printing paper as mentioned above, but it is not known to the examiner what type of feeding device is used in the printer 4. However, Hirano et al. teaches that it is known to feed a label paper through a printer while holding the outside edges of a label media as shown in Figure 3 of Hirano et al. It would have been obvious to combine the teaching of Hirano et al. with the label printing paper disclosed by McLeod in view of Skees and Nakamura for the advantage of feeding the label media in both directions in order to maintain the correct tension in the media (see abstract of Hirano et al.).

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Additionally, it would have been obvious to print on label paper for the self-adhesive advantages of labels.

With respect to claims 11 and 14, Hirano et al. discloses a printing system including a printhead 24 and two rollers 17 and 18 which hold the entire label including the outside portions as shown in Figures 1 and 3 of Hirano et al.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dan Colilla whose telephone number is (703) 308-2259. The examiner can normally be reached M-F, 8:30-5:30. Faxes regarding this application can be sent to (703) 746-4405.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached at (703)305-6619. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

October 20, 2003

  
Dan Colilla  
Primary Examiner  
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